## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA MIDDLE DIVISION

VICTOR ALLEN THOMAS,	)
Plaintiff,	) )
v.	) Case No. 4:11-cv-02813-RDP-RRA
DR. TALLEY, et al.,	)
Defendants.	)

## **MEMORANDUM OF OPINION**

The Magistrate Judge filed a Report and Recommendation on May 13, 2013, recommending that this cause be dismissed without prejudice due to Plaintiff's failure to exhaust his administrative remedies under 42 U.S.C. § 1997e(a). (Doc. 23.) No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation, the court is of the opinion that the Magistrate Judge's Report is due to be and is hereby **ADOPTED** and his Recommendation is **ACCEPTED**. Accordingly, this action is due to be dismissed without prejudice. A Final Judgment will be entered.

**DONE** and **ORDERED** this 10th day of June 2013.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE